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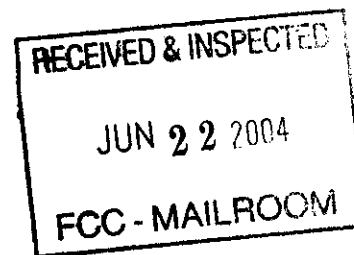
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June 21, 2004

Via Federal Express

Hon. Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
9300 East Hampton Drive
Capitol Heights, MD 20743



Re: Amendment of FM Table of Allotments
Pulaski and Loretto, Tennessee and Killen, Alabama

Dear Ms. Dortch:

Enclosed please find an original and four copies of a Petition for Rulemaking, filed herewith on behalf of our client, Pulaski Broadcasting, Inc. An additional copy of the petition is enclosed to be returned to the undersigned in the enclosed postage-paid, self-addressed envelope after it has been date-stamped by your office.

Should you or any members of your staff have questions concerning the enclosed, please contact the undersigned for clarification. Thank you for your cooperation in this matter.

Sincerely,

MCCAMPBELL & YOUNG, PC

Robert S. Stone

RSS/rs

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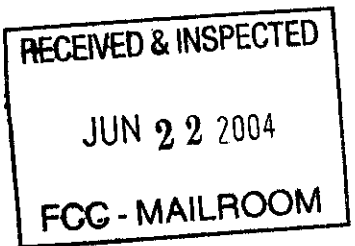
June 21, 2004

Enclosure

cc (w/ enclosure):

Pulaski Broadcasting, Inc.
Olvie E. Sisk

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554



In the Matter of)
)
Amendment of Section 73.202(b))
) MM Docket No. _____
Table of Allotments,)
FM Broadcast Station) RM - _____
(Pulaski and Loretto, Tennessee)
and Killen, Alabama)
)

To: Chief, Allocations Branch

PETITION FOR RULEMAKING

Pulaski Broadcasting, Inc. ("PBI" or "Petitioner"), licensee of FM broadcast station WKSR-FM, Pulaski, Tennessee, by counsel, and pursuant to § 1.420(i) of the Commission's rules and regulations, hereby respectfully submits this Petition for Rulemaking, which seeks an amendment to the Commission's Table of FM Allotments, found in § 73.202(b) of the Commission's rules, so as to reallocate FM Channel 252C3 as follows:

Killen, Alabama

Present

252C3

Proposed

Loretto, Tennessee

Present

Proposed

252C3

In support whereof, the following is shown:

1. As noted above, PBI is the licensee of WKSJ-FM, which currently operates on FM Channel 252A at Pulaski, Tennessee. FM Channel 252A had been allotted to Pulaski, Tennessee until recently, when the channel was upgraded to FM Channel 252C3 and reallocated to Killen, Alabama. *See, Ashland, Coaling, Cordova, Decatur, Dora, Hackleburg, Hobson City, Holly Pond, Killen, Midfield, Scottsboro, Sylacauga, and Tuscaloosa, Alabama, Atlanta, Georgia, and Pulaski, Tennessee*, 19 FCC Rcd 6943 (2004) ("R&O"). The R&O was published in the Federal Register on May 12, 2004. *See, 69 FR 26312* (May 12, 2004). The action thus became final and no longer subject to administrative or judicial review or reconsideration on June 21, 2004 in accordance with § 1.117 of the Commission's rules.

2. This petition is being filed in accordance with the Commission's rules which allow for the modification of facilities for an FM station in the course of a rulemaking proceeding to specify a new community of license where the modification and amended allotment would occur on a mutually exclusive co-channel. As set forth in greater detail within the engineering statement attached hereto and incorporated herein by reference, Channel 252C3 can be reallocated from Killen, Alabama to Loretto, Tennessee in full compliance with the Commission's minimum spacing and city-grade coverage requirements. The proposed reallocation and modification would also be mutually exclusive with PBI's existing license and its pending application for construction permit for FM Channel 252C3 at Killen, Alabama.

3. Having given due consideration to the service needs of Killen, Alabama *vis a vis* other communities in the surrounding area, PBI believes grant of the instant Petition would better serve the public interest in keeping with the Commission's allotment priorities and policies, despite the recent timing of the reallocation of FM Channel 252 from Pulaski, Tennessee to Killen, Alabama. *See, Revision of FM Assignment Policies and Procedures*, 90 FCC 2d 88, 92 (1982). Approval of

this proposal will provide the community of Loretto with its first local transmission service of any kind. Further, Station WKSJ-FM is not constructed as a local radio station serving Killen, Alabama. Therefore, it should not be considered a removal of existing service from the community of Killen, Alabama, raising concerns with loss of service represented by the removal of an operating station, as it does not constitute a service that the public has become reliant upon. See *Sanibel and San Carlos Park, Florida*, 10 FCC Rcd 7215 (1995); *Pawley's Island and Atlantic Beach, South Carolina*, 8 FCC Rcd 8657 (1993); and *Glencoe and LeSueur, Minnesota*, 7 FCC Rcd 7651 (1992). Moreover, the reallocation will not result in the relocation of Station WKSJ-FM from a rural to an urban area. Indeed the reallocation would represent a relocation of WKSJ-FM further from the nearest urban area. The proposed modification and allocation would therefore would be fully consistent with the Commission's allocation criteria as set forth in *Amendment of the Commission's Rules Regarding Modification of FM and TV Authorizations to Specify a New Community of License*, 4 FCC Rcd 4870, 66 RR 2d 877 (1989), *recon. granted in part*, 5 FCC Rcd 7094, 68 RR 2d 644 (1990) .

4. The community of Loretto, Tennessee, listed in the census reports by the U. S. Bureau of the Census with a population of 1,665, is the second largest community in Lawrence County, Tennessee. Loretto was founded in 1812 and originally called Glen Rock. In 1871 the name was changed to Loretto. Today, the city's administration includes a mayor, vice-mayor, two aldermen and city manager. Water, natural gas and sewer services are provided utilities maintaining offices in the city . Telephone service is provided by the Loretto Telephone Company. Each of these providers are located inside the city of Loretto. The city maintains a fire department and police department, and includes over 70 businesses, nine factories, three schools, eleven churches and three banks. Killen, Alabama, meanwhile has a smaller population of only 1,118 persons.

5. As noted above, Loretto presently is without local transmission service of any kind and is therefore recognized as deserving of a local FM station as proposed by PBI herein. *Revision of FM Assignment Policies and Procedures*, 90 FCC 2d 88 (1982), *Chatom and Grove Hill, Alabama*, 12 FCC Rcd 7664 (1997).

6. Thus, the above proposal would fully comply with and further the Commission's FM allotment criteria and would further the public interest, convenience, and necessity by allowing for new and improved service to the public without depriving the community of Killen, Alabama of established service. Petitioner hereby submits its commitment to prompt application for and construction of a facility consistent with its proposal herein immediately upon the effective date of the Commission's report and order reallocating FM Channel 252C3 from Killen to Loretto.

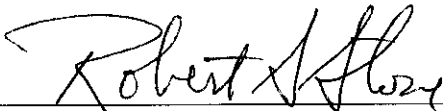
WHEREFORE, premises considered, Pulaski Broadcasting, Inc. respectfully urges the Commission to amend its Table of FM Allotments so as to reallocate FM Channel 252C3, Killen, Alabama to the community of Loretto, Tennessee as FM Channel 252C3.

DATED this 21st day of June, 2004.

Respectfully Submitted,

PULASKI BROADCASTING, INC.

MCCAMPBELL & YOUNG, PC
Its Attorneys

By: 
Robert S. Stone

MCCAMPBELL & YOUNG, PC
2021 Plaza Tower
P. O. Box 550
Knoxville, Tennessee 37901-0550
(615) 637-1440

June 21, 2004

Rule Making to change 252-C3 from Killen, AL to Loretto, TN

This Rule Making is being filed to change the assignment of channel 252-C3 from Killen, Alabama to Loretto, Tennessee. Since the station has not been built and therefore is not on the air, there will be no loss or gain area. This change in allocation can be made with no other changes being required in the table of assignments. The allocation coordinates for the assignment at Killen is latitude 34-58-40 longitude 87-36-05. The proposed coordinates for Loretto, Tennessee. is latitude 35-00-47 longitude is 87-34-06. This slight change in location is necessary to comply with the city grade coverage. Loretto is not part of any urbanized area, it is a growing community of it's own.

The population of Loretto is 1665 where as the population of Killen, Alabama is 1119, this is a gain of 546 people. The total population covered in the 60 dbu contour from the assigned location is 166,571, from the proposed location 170,337, that's a gain of 3766 persons.

Figure 1 is a Map showing the location of the 70 and the 60 dbu contours. These are the two contours used in the population counts show above. This figure also shows how Loretto will be effected by this proposal.

Figure 2 is an Allocation Study showing that this request meets the spacing set forth in 73:207.

Figure 3 is a Computer Generated Map showing the maximum 70 dbu contour, based on 100 meters above average terrain, which is 23.45 kilometers.

Figure 4 is a Map showing the actual contour using the 30 second terrain data base in the 3 to 16 kilometer range. The entire city of Loretto, TN will receive a 70 dbu signal from the proposed location.

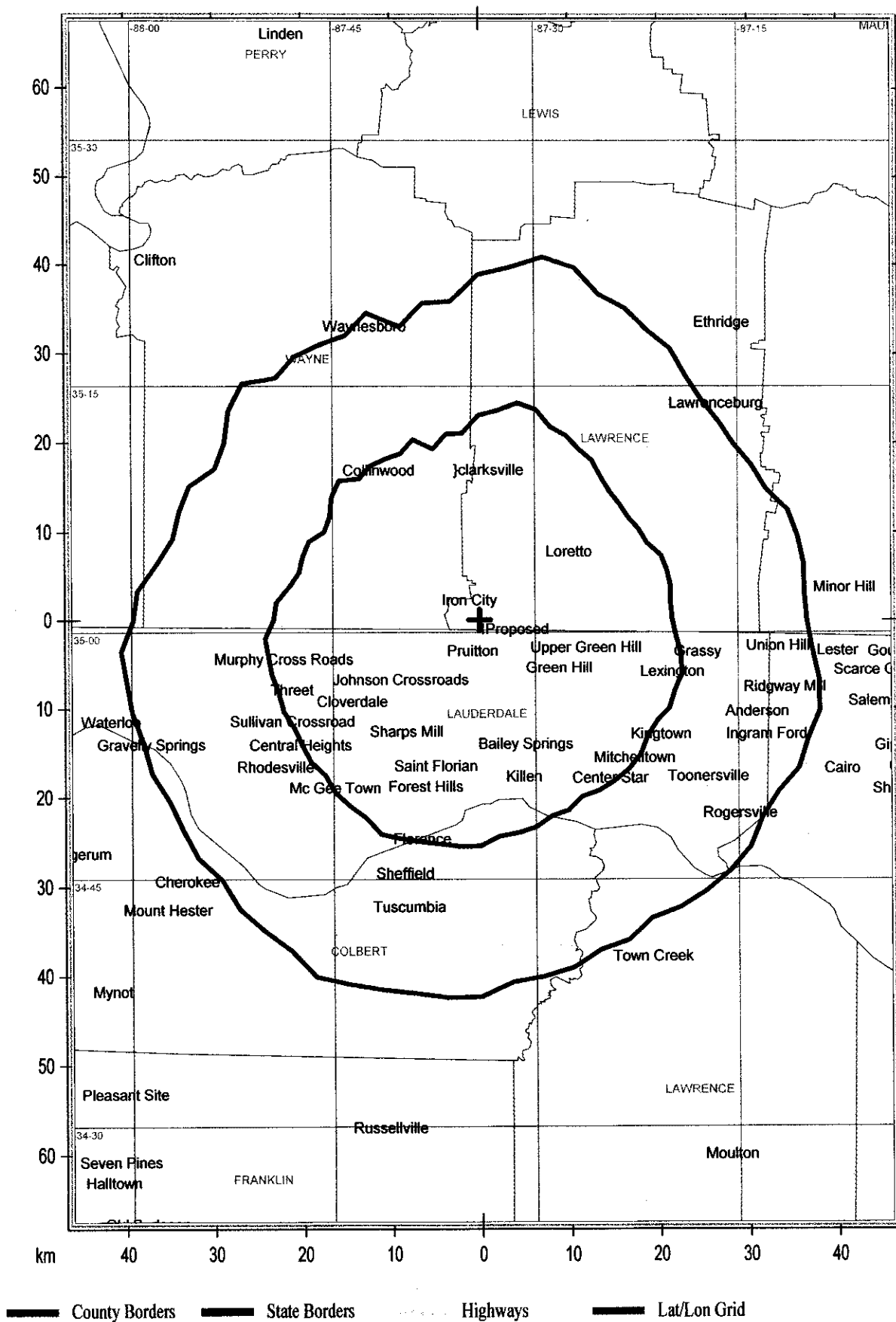
Figure 5 depicts that this proposal is in full compliance with the requirements regarding urbanized area.

We therefore request that the Commission institute a rulemaking to assign channel 252- C3 to Loretto, TN. This proposal meets all of the technical requirements of the rules and complies with all the mileage separations as per 73:207.

This technical engineering exhibit has been prepared by Olvie E. Sisk, or under his direct supervision. Olvie E. Sisk's qualifications are a matter of record with the Federal Communications Commissions.

A handwritten signature in cursive script, reading "Olvie E. Sisk".

Olvie E. Sisk
P.O. Box 2116
Tupelo, MS 38803
May 18, 2004



Proposed Loretto Tn.

FIGURE 2

REFERENCE

35 00 47 N

87 34 06 W

CLASS = C3

Current Spacings

DISPLAY DATES

DATA 05-14-04

SEARCH 05-18-04

----- Channel 252 - 98.3 MHz -----

Call	Channel	Location	Dist	Azi	FCC	Margin
RADD	ADD 252C3	Killen	AL 4.94	217.5	153.0	-148.06
WKS RFM	APP-Z 252C3	Pulaski	TN 19.17	91.0	153.0	-133.83
RDEL	DEL 252A	Pulaski	TN 45.96	71.0	142.0	-96.04
WKS RFM	LIC 252A	Pulaski	TN 45.96	71.0	142.0	-96.04
RDEL	DEL 252A	Pulaski	TN 45.96	71.0	142.0	-96.04
RADD	ADD 253A	Linden	TN 71.41	340.0	89.0	-17.59
WRIK FM	CP 252C1	Metropolis	IL 210.51	336.8	211.0	-0.49
RADD	ADD 252C3	Scottsboro	AL 152.51	111.6	153.0	-0.49
WKEAFM	APP-Z 252C3	Scottsboro	AL 160.15	109.1	153.0	7.15
WKEAFM	LIC 252A	Scottsboro	AL 151.71	107.7	142.0	9.71
RDEL	DEL 252A	Scottsboro	AL 151.71	107.7	142.0	9.71
RDEL	DEL 252A	Scottsboro	AL 152.51	111.6	142.0	10.51
WKEAFM	CP -Z 252A	Scottsboro	AL 156.62	102.7	142.0	14.62
WZLQ	LIC 253C1	Tupelo	MS 173.24	237.6	144.0	29.24
WSIX FM	LIC 250C	Nashville	TN 132.81	29.9	96.0	36.81
WTXT	LIC 251C1	Fayette	AL 188.60	185.8	144.0	44.60
ALLO	VAC 250A	Marietta	MS 98.79	235.4	42.0	56.79
WSRR FM	LIC 251C1	Millington	TN 206.14	275.0	144.0	62.14
WKX MF M	CP -Z 249A	Winfield	AL 110.98	191.1	42.0	68.98
RADD	ADD 249A	Winfield	AL 113.73	187.4	42.0	71.73
ALLO	RSV 254C1	Warrior	AL 157.40	153.5	76.0	81.40
WTNE FM	APP 249C2	Trenton	TN 145.48	304.4	56.0	89.48

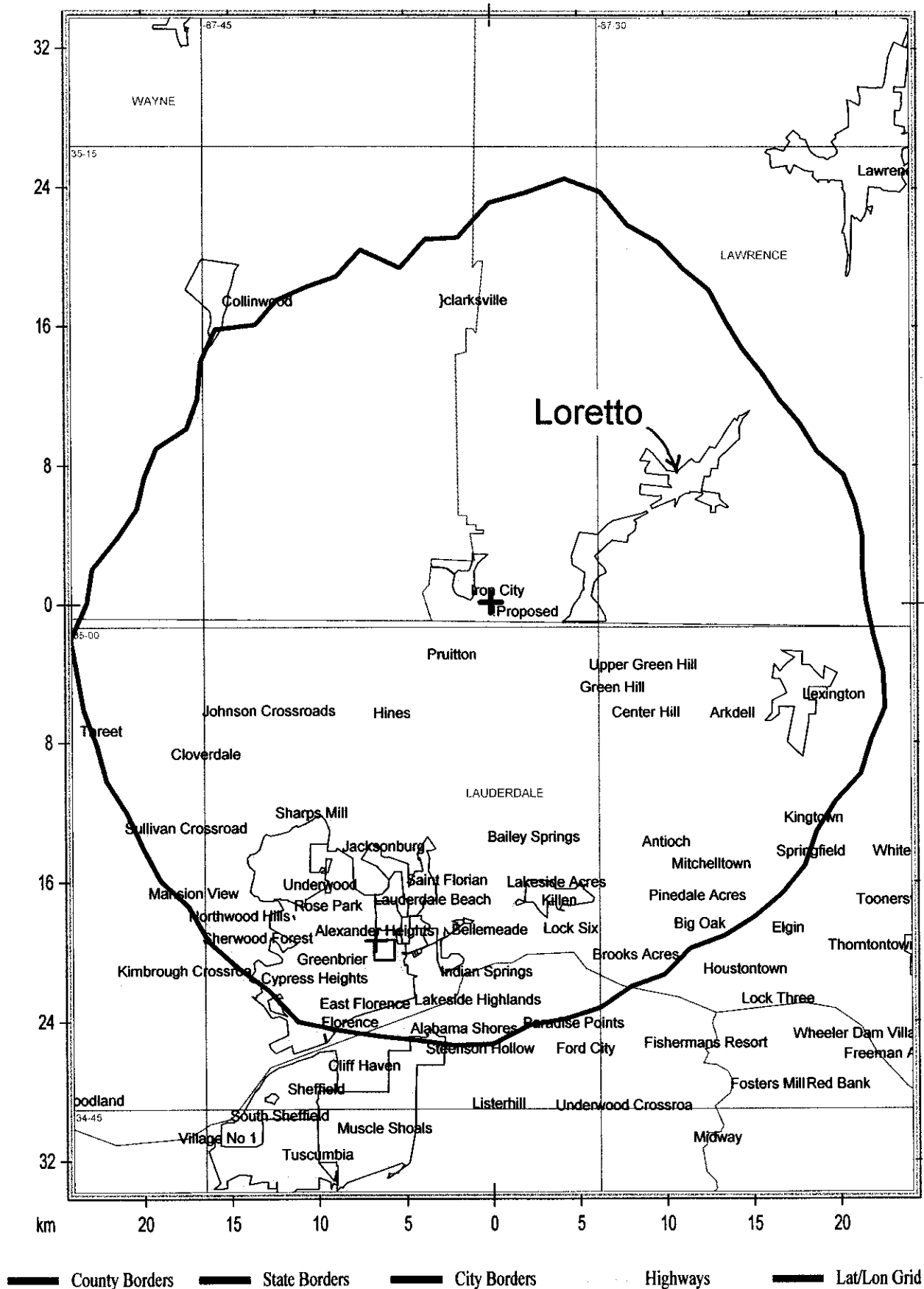


FIGURE 4

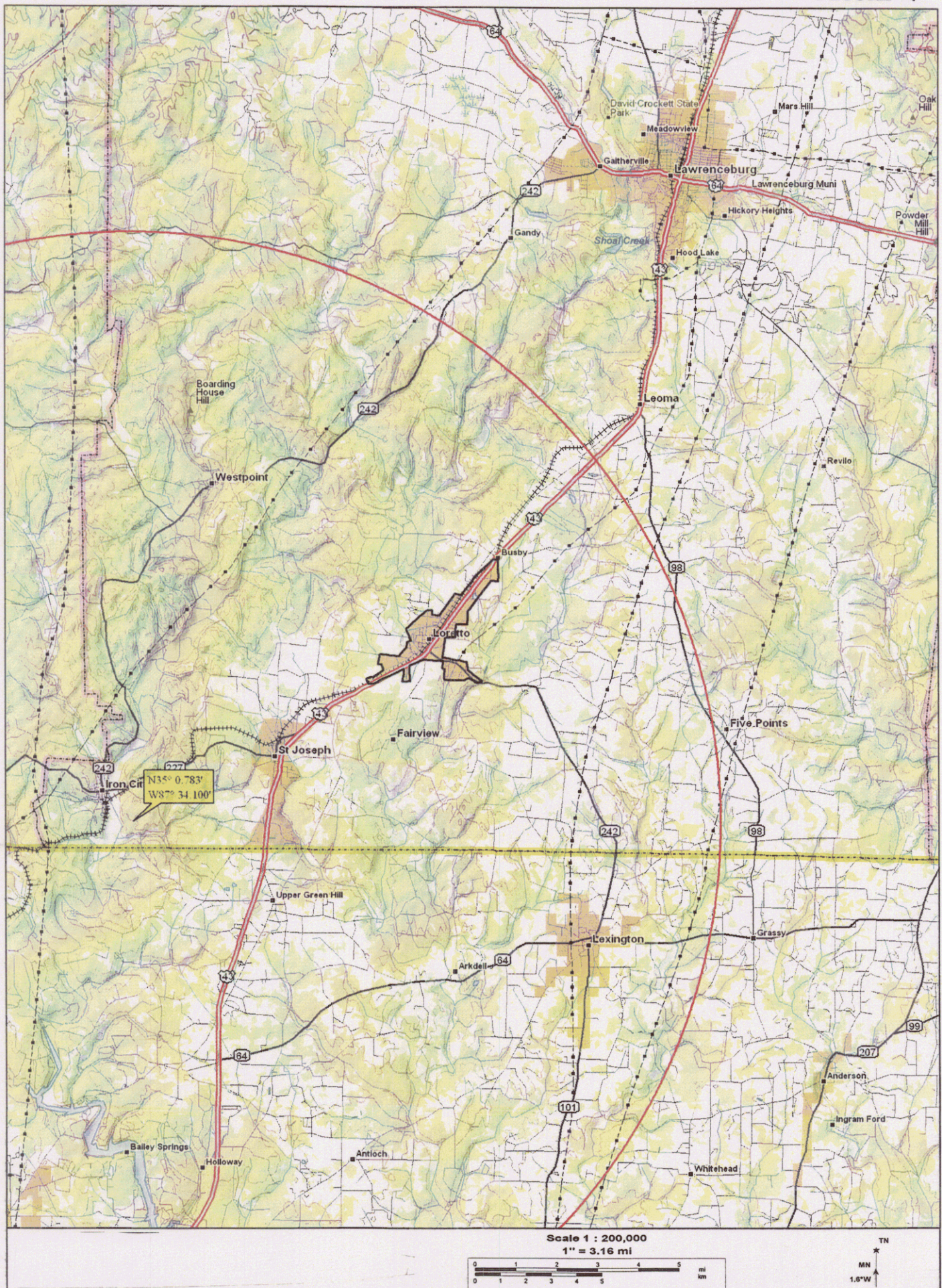


FIGURE 5

